

PLANNING COMMISSION CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. PC-2016-04

RESOLUTION RECOMMENDING APPROVAL OF THE APPLICATION OF GUY HOUSTON FOR PLANNED UNIT DEVELOPMENT (PUD) DEVELOPMENT PLAN APPROVAL, AS FILED UNDER CASE PUD-115

WHEREAS, Guy Houston, has applied for Planned Unit Development (PUD) Development Plan approval to retain the existing single-family residence and second unit, and construct two new single-family residences and related improvements on separate lots located at 11249 Dublin Canyon Road; and

WHEREAS, zoning for the property is PUD-LDR (Planned Unit Development – Low Density Residential) District; and

WHEREAS, at its duly noticed public hearing of March 9, 2016, the Planning Commission considered all public testimony, relevant exhibits, and recommendations of the City staff concerning this application; and

WHEREAS, an Initial Study/Negative Declaration was prepared for the previously approved, but now expired, Development Plan (PUD-44) for this same site in 2006; and the proposed Development Plan is substantially consistent with the previously approved PUD Development Plan, which was analyzed in the Initial Study/Negative Declaration; and no new information or changed circumstances have been identified, per California Environmental Quality Act (CEQA) Guidelines Section 15162 that would require supplemental review; and

WHEREAS, the Planning Commission made the following findings:

1. The plan is in the best interests of the public health, safety, and general welfare.

The proposed project, as conditioned, meets all applicable City standards concerning public health, safety, and welfare. The subject development would include the installation of all required on-site utilities, with connections to municipal systems in order to serve the new lots. The project will not generate volumes of traffic that cannot be accommodated by existing City streets and intersections in the area. The structures would be designed to meet the requirements of the California Building Code, California Fire Code, and other applicable City codes. The proposed development is compatible with the adjacent uses and would be generally consistent with the existing scale of development and rural character of the area. Adequate setbacks would be provided

between the new dwellings and adjacent properties. Therefore, the proposed PUD development plan is in the best interests of the public health, safety, and general welfare, and this finding can be made.

2. The proposed Development Plan is consistent with the City's General Plan and any applicable specific plan.

The proposed development includes the construction of two new residential lots and retention of the existing residence on an approximately 2.93-acre site. The proposed density of approximately one dwelling unit per acre conforms to the General Plan Low Density Residential land use designation. The proposed project would promote General Plan Programs and Policies encouraging new housing to be developed in infill and peripheral areas that are adjacent to existing residential development. Therefore, the proposed Development Plan is consistent with the City's General Plan, and this finding can be made.

3. The proposed Development Plan is compatible with previously developed properties in the vicinity and the natural, topographic features of the site.

Surrounding properties include single-family homes, open space areas, and a church. As conditioned, staff believes that the proposed residential lots and homes would be compatible with the surrounding uses, as the basic layout and architecture would not be substantially different from that of surrounding neighborhoods. The subject property has flat terrain in the front (north) portion of the site and steep topography in the back (south). Grading of the lots has been limited to the creation of pads for the future homes and to achieve the proper functioning of utilities, and the steep topography in the southern portion of the site has been largely preserved. Therefore, the PUD Development Plan is compatible with the previously developed properties and the natural, topographic features of the site, and this finding can be made.

4. Grading in conjunction with the proposed Development Plan takes into account environmental characteristics and is designed in keeping with the best engineering practices to avoid erosion, slides, or flooding, and to have as minimal an effect upon the environment as possible.

As described above, the site would be graded to create the needed building pad areas. Erosion control and dust suppression measures will be documented in the improvement plans and will be administered by the City's Building and Engineering Divisions. The site is not located within an Alquist-Priolo Earthquake Fault Zone. The flood hazard maps of the Federal Emergency Management Agency (FEMA) indicate that the subject property is not located in a flood hazard zone. Therefore, this finding can be made.

5. Streets, buildings, and other manmade structures have been designed and located in such manner to complement the natural terrain and landscape:

The project site is in a developed area of the City and would not involve the extension of any new public streets. The proposed lots and homes would be located in the flatter portion of the site. The steeply sloped area of the site would be set aside as open space. The proposed homes will be compatible in size and scale with the existing homes in the neighborhood. The arborist report prepared for the proposed development surveyed a total of 10 trees and recommends the removal of four trees. A total of 19 trees are proposed to be planted. Staff has included a condition requiring additional tree planting on the project site. Therefore, this finding can be made.

6. Adequate public safety measures have been incorporated into the design of the proposed Development Plan.

The private street provides access to and from the site and has adequate turn-around area to serve fire trucks. The new homes would be equipped with automatic residential fire sprinklers. The homes would be required to meet the requirements of applicable City codes, and State of California energy and accessibility requirements. The conditions of approval require the applicant to prepare an open space management plan to reduce natural hazards. Therefore, this finding can be made.

7. The proposed Development Plan conforms to the purposes of the PUD District.

The proposed PUD development plan conforms to the purposes of the PUD district. One of these purposes is to allow for creative project design that takes into account site constraints. Staff believes that the proposed project would help to implement the purposes of the PUD ordinance by allowing for flexible site standards on the site that allow units to be clustered in the flatter portions of the site near Dublin Canyon Road. Staff believes that through the PUD process the proposed project has provided the applicant and the City with a development plan that optimizes the use of this site in a reasonably sensitive manner. Therefore, this finding can be made.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF PLEASANTON RESOLVES THE FOLLOWING:

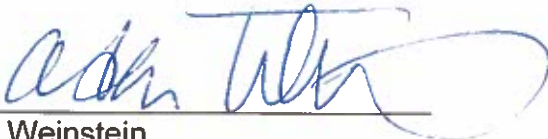
- Section 1. Recommends approval of Case PUD-115, the application of Guy Houston for Planned Unit Development (PUD) Development Plan approval to retain the existing single-family residence and construct two new single-family residences and related improvements on separate lots located at 11249 Dublin Canyon Road subject to the conditions shown in Exhibit A, attached hereto and made part of this case by reference.

Section 2. This resolution shall become effective immediately upon its passage and adoption.

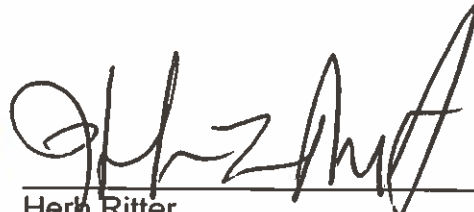
THIS RESOLUTION ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF PLEASANTON ON THE 9<sup>TH</sup> DAY OF MARCH 2016 BY THE FOLLOWING VOTE:

AYES: Commissioners Allen, Balch, O'Connor, Nagler, and Ritter  
NOES: None  
ABSTAIN: None  
RECUSED: None  
ABSENT: None

ATTEST:



Adam Weinstein  
Secretary, Planning Commission



Herb Ritter  
Chair

APPROVED AS TO FORM:



Larissa Seto  
Assistant City Attorney

**EXHIBIT A  
CONDITIONS OF APPROVAL**

**PUD-115, Guy Houston  
11249 Dublin Canyon Road  
March 9, 2016**

**PROJECT SPECIFIC CONDITIONS OF APPROVAL**

**Planning Division**

1. The PUD development plan shall lapse two years from the effective date of this ordinance unless a parcel map is approved. If a parcel map is approved, the PUD development plan approval shall lapse when the parcel map approval expires. If a final map is recorded before the parcel map expires, then the PUD development plan approval shall not lapse.
2. The lots covered by this PUD development plan shall be subject to the permitted and conditional uses of the One-Family Residential District as defined in the Pleasanton Municipal Code.
3. No building permits shall be issued prior to City approval and recordation of a Final Parcel Map.
4. The applicant/project developer shall create a maintenance agreement addressing the maintenance responsibility for the driveway, landscaping between the property lines of Lots 1 and 3 and Dublin Canyon Road, bioswale, stormwater retention areas, utilities, etc. The maintenance agreement shall be recorded concurrently with the Final Parcel Map. The maintenance agreement shall be subject to review and approval by the City Attorney prior to recordation of the final parcel map.
5. The applicant/project developer shall submit with the parcel map application, a Wildland Fire Management Plan (WFMP) prepared by a consultant covering the private lots and open space area for review and approval by the City Attorney's Office, Fire Marshall and Director of Community Development.
6. Prior to issuance of a building permit, the applicant/developer shall pay the applicable Zone 7 and City connection fees and water meter cost for any water meters, including irrigation meters, applicable to the portion or phase of the project covered by the permit. Additionally, the developer shall pay any applicable Dublin-San Ramon Services District (DSRSD) sewer permit fee.
7. Prior to issuance of a building permit, the applicant/developer shall pay the applicable City and Tri-Valley regional traffic impact fees for the project as

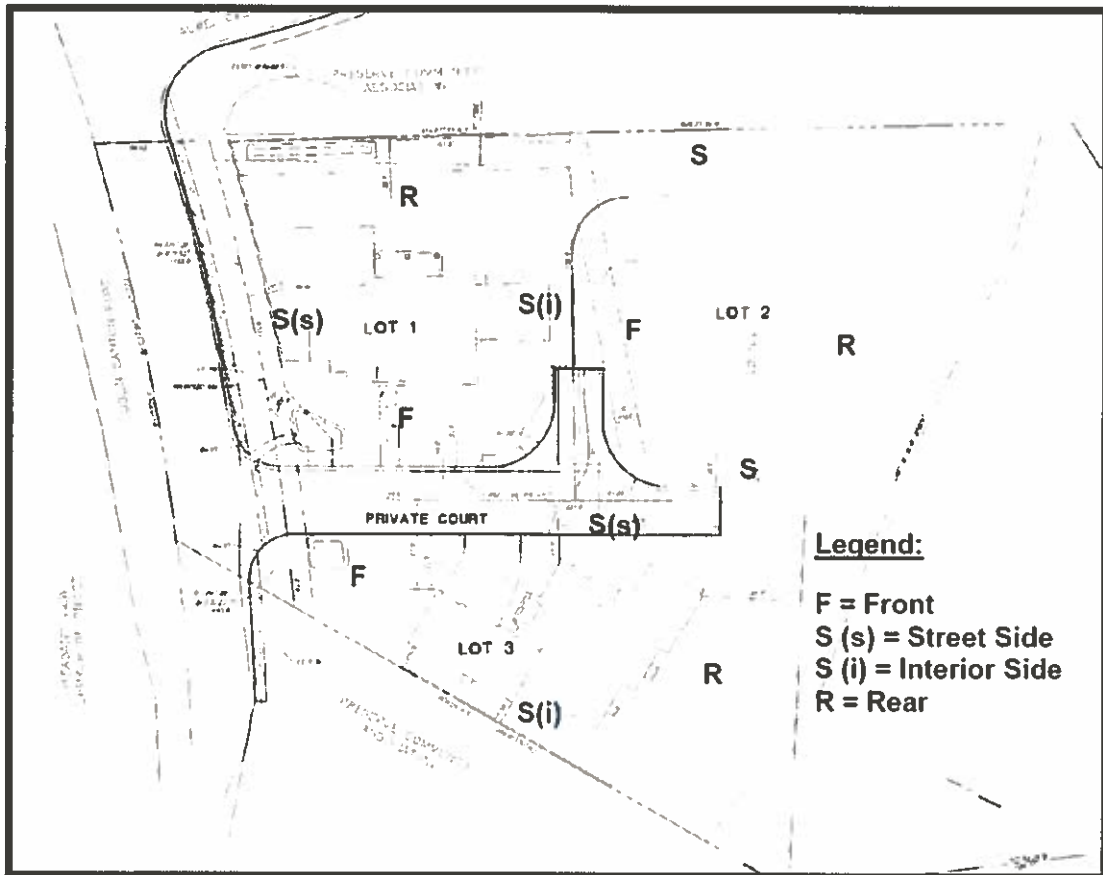
determined by the City Traffic Engineer, or as identified in a project development agreement.

8. The applicant/project developer acknowledges that the City of Pleasanton does not guarantee the availability of sufficient sewer capacity to serve this development by the approval of this case, and that the project developer agrees and acknowledges that building permit approval may be withheld if sewer capacity is found by the City not to be available.
9. This approval does not guarantee the availability of sufficient water capacity to serve the project. Prior to the recordation of a Final Parcel Map, issuance of a grading permit, issuance of a building permit, or utility extension approval to the site, whichever is sooner, the applicant/developer shall submit written verification from Zone 7 Water Agency or the City of Pleasanton's Utility Planning Division that water is available for the project. To receive the verification, the applicant/developer may need to offset the project's water demand.
10. The project shall meet all requirements of the City's Growth Management Ordinance, as described in a Growth Management Agreement
11. The proposed PUD shall follow the development standards listed below:

	Lot 1	Lot 2	Lot 3
Setbacks (min.)			
Front:	15 feet (porch) 20 feet (house) 25 feet (garage)	15 feet (porch) 20 feet (house) 25 feet (garage)	15 feet (porch) 20 feet (house) 25 feet (garage)
Side			
street side:	20 feet	10 feet	10 feet
interior side):	10 feet	10 feet	10 feet
Rear:	20 feet	development limit line	development limit line
FAR (max.)	25%	NA	25%
Floor Area (max.)	5,273 sq. ft.	6,000 sq. ft.	5,670 sq. ft.
Height (max.)	30 feet	30 feet	34 feet

- a. All setbacks shall not include any portion of the private street. They are measured behind the curb of the private street.
- b. Any garage area exceeding 600 square feet shall be included in the FAR or maximum building area calculations.

- c. No development including grading and landscaping shall be allowed above elevation 440 feet for Lot 2 and elevation 443 feet for Lot 3.
  - d. The maximum building height shall be measured from the lowest finished grade adjacent to the building to the highest point of the building excluding chimneys.
  - e. Unless otherwise specified in the conditions of approval, all site development standards shall be those of the R-1-20,000 District.
12. Unless otherwise specified in Condition No. 11, all accessory structures shall follow the site development standards of the R-1-20,000 District.
13. The yard determinations of all three lots shall be the following:



14. The applicant/developer shall install Sound Transmission Class (STC) 28 rated or better windows and doors in proposed homes. The STC rating for all windows and doors shall be noted on the plans submitted for issuance of building permits and shall be subject to the review and approval by the Director of Community Development prior to issuance of building permits for the project.

15. The electrical plan for the new homes shall provide telecommunications infrastructure consistent with state-of-the-art methods (e.g. cabling for DSL, broadband, or wireless service, wiring for total room access, etc.) in effect at the time that building permit(s) are issued. The plan shall be part of the building permit plan set.
16. The final grading, drainage, and landscape plans shall show the bio-retention area on Lot 1 near the driveway will be located outside of the Public Service Easement (PSE).
17. If a cluster mailbox is required by the US Postal Service, the cluster mailbox location shall be shown on the construction plans submitted for issuance of a building permit.
18. The garages for the new homes shall have automatic opening sectional roll-up garage doors.
19. Water conservation devices such as low-flow faucets, toilets, shower fixtures, etc. shall be installed as part of the project. The devices shall be indicated on the plans submitted for the issuance of a building permit.
20. Only recycled water shall be used on the site during the grading and construction periods, and this specification shall be included on all grading plans and other construction documents.
21. The project shall comply with the current City/Pleasanton Garbage Service recycling and composting programs.
22. The final location of pad-mounted transformers shall be subject to approval by the Director of Community Development prior to issuance of permits by the Building and Safety Division. Such transformers shall be screened by landscaping to the satisfaction of the Director of Community Development. All transformers shall be shown on the plans submitted for issuance of building permits.
23. The applicant and/or developer shall submit a pad elevation certification prepared by a licensed land surveyor or registered civil engineer to the Chief Building Official and Director of Community Development certifying that the pad elevations and building locations (setbacks) are pursuant to the approved plans, prior to receiving a foundation inspection for the structures.
24. All excess soil from the site shall be off-hauled from the site and disposed of in a lawful manner. Unless otherwise approved by the Director of Community Development, no stockpiling of dirt on this site shall occur.



25. The applicant/developer shall implement construction best management practices to reduce construction noise, including:
- a. Locate stationary construction equipment as far from adjacent occupied buildings as possible.
  - b. Select routes for movement of construction-related vehicles and equipment so that noise-sensitive areas, including residences and outdoor recreation areas, are avoided as much as possible. Include these routes in materials submitted to the City of Pleasanton for approval prior to the issuance of building permits.
  - c. All site improvements and construction activities shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. In addition, no construction shall be allowed on State and federal holidays, Saturdays, or Sundays. The Community Development Director may allow earlier "start times" for specific construction activities (e.g., concrete foundation/floor pouring), if it can be demonstrated to the satisfaction of the Community Development Director that the construction and construction traffic noise will not affect nearby residents. Prior to construction, the hours of construction shall be posted on site.
  - d. All construction equipment must meet DMV and City noise standards and shall be equipped with muffling devices.
  - e. Designate a noise disturbance coordinator who will be responsible for responding to complaints about noise during construction. The telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site and shall be provided to the City of Pleasanton. Copies of the construction schedule shall also be posted at nearby noise sensitive areas.
  - f. Construction activities conducted on the subject property shall not exceed 86 dBA at any point outside of the property plane of the subject property (Pleasanton Municipal Code Section 9.04.100.B.).

These requirements shall be printed on the construction plans to the satisfaction of the Director of Community Development.

26. Rain gutters shall discharge into landscaping planter areas where feasible. These details shall be shown on the plans submitted to the Building and Safety Division for plan check and are subject to the review and approval of the Director of Community Development prior to building permit issuance.
27. The project shall comply with the State of California Model Water Efficient Landscape Ordinance and Bay Friendly Basics Landscape Checklist. Prior to

issuance of a Building Permit, the applicant shall submit the following documentation to the Planning Division:

- a. Landscape Documentation Package, which includes date; project applicant/contact information; project address; total landscape area; project type (new, rehabilitated, public, private, cemetery, homeowner-installed); water supply type (potable, recycled, well, greywater, combination of potable/greywater); and applicant signature/date with the statement that “I agree to comply with the requirements of the prescriptive compliance option of the Water Efficient Landscape Ordinance.”
  - b. Landscape Plan documenting: incorporation of compost at a rate of at least 4 cubic yards/1,000 square feet; compliance with the plant material criteria; compliance with the turf criteria; compliance with the irrigation system criteria; and installation of private sub-meters if the project is non-residential with a landscape area of 1,000 square feet or greater
28. The new homes shall be constructed to allow for future installation of a Photovoltaic (PV) system and solar water heating systems. The project applicant/developer shall comply with the following requirements for making the proposed residential units photovoltaic-ready and solar-water-heating-ready:
- a. Electrical conduit and cable pull strings shall be installed from the roof/attic area to the building's main electrical panels;
  - b. an area shall be provided near the electrical panel for the installation of an “inverter” required to convert the direct current output from the photovoltaic panels to alternating current;
  - c. engineer the roof trusses to handle an additional load as determined by a structural engineer to accommodate the additional weight of a prototypical photovoltaic system beyond that anticipated for roofing;
  - d. plumbing shall be installed for solar-water heating; and
  - e. space shall be provided for a solar-water-heating tank.

These measures shall be shown on the building permit plan set submitted to the Director of Community Development for review and approval before issuance of the first building permit.

29. The State of California’s Green Building Standards Code, “CALGreen,” shall apply, if applicable.

30. **Pre-Construction Bird Survey:** If project construction-related activities takes place during the nesting season (February 1 through September 15), prior to issuance of a building or grading permit, preconstruction surveys for nesting passerine birds and raptors (birds of prey) within the project site and the surrounding area of influence shall be conducted by a qualified biologist prior to the commencement of the tree removal or site grading activities. If any bird listed under the Migratory Bird Treaty Act is found to be nesting within the project site or within the area of influence, an adequate protective buffer zone shall be established by a qualified biologist to protect the nesting site. This buffer shall be a minimum of 75 feet from the project activities for passerine birds, and a minimum of 200 feet for raptors. The distance shall be determined by a qualified biologist based on the site conditions (topography, if the nest is in a line of sight of the construction and the sensitivity of the birds nesting).

The nest site(s) shall be monitored by a qualified biologist periodically to see if the birds are stressed by the construction activities and if the protective buffer needs to be increased. Once the young have fledged and are flying well enough to avoid project construction zones (typically by August), the project can proceed without further regard to the nest site(s).

31. **Pre-construction Bat Survey:** The following mitigation measures shall be implemented in order to avoid "take" of special-status bats prior to the removal of any existing trees on the project site:
- a. A bat habitat assessment shall be conducted by a qualified bat biologist during seasonal periods of bat activity (i.e., February 15 - April 15 and August 15 – October 30) to determine suitability of each existing trees as bat roost habitat.
  - b. Bat exclusion and eviction shall only occur between February 15 and April 15, and from August 15 through October 30, in order to avoid take of non-volant (non-flying or inactive, either young, or seasonally torpid) individuals.

Or, prior to issuance of a building or grading permit, a qualified wildlife biologist experienced in surveying for and identifying bat species shall survey the portion of the oak/bay woodland habitat if tree removal is proposed to determine if any special-status bats reside in the trees. Any special-status bats identified shall be removed without harm. Bat houses sufficient to shelter the number of bats removed shall be erected in open space areas that would not be disturbed by project development. A written report prepared by a qualified biologist documenting survey results shall be submitted to the Director of Community Development for review and approval.

32. Pre-Construction Dusky-footed Woodrat Survey: Prior to commencing any construction-related activities, as determined by the biologist, that may result in the destruction of dusky-footed woodrat nests, surveys shall be conducted by a qualified biologist to determine the occurrence of the nests. If found, construction fencing shall be installed around the nest at a distance specified by the biologist to avoid impacts, and a wildlife biologist shall be present during a timeframe specified by the biologist upon the initiation of construction to monitor construction activities until such time that the biologist determines that it is not needed.
33. The wood fence on Lots 1 and 3 shall meet the recommendations as stated in the Noise Assessment Study prepared by Edward L. Pack Associates. The construction detail of the fence shall be included in the building permit plan check plans and is subject to the review and approval of the Director of Community Development prior to issuance of a building or grading permit.
34. The construction plans submitted for issuance of a building permit shall include the installation of an air filtration system on any heating, ventilation, and air conditioning (HVAC) system on the air intakes (i.e., outside air) serving the new residential units located on the project site. The air filtration system shall be a Minimum Efficiency Reporting Value (MERV) 13 air filtration system.
35. The construction plans submitted for issuance of a building permit shall clearly show that air intake vents on the proposed homes do not face the I-580 freeway and they are located as far from I-580 as practicable, subject to review and approval by the Director of Community Development.

### **Engineering Department**

36. The geotechnical report shall be peer-reviewed by the City's on-call geotechnical consultant. Prior to recordation of the parcel map, the project developer's civil engineer and/or geotechnical engineer shall satisfactorily address all comments and/or recommendations by the City's on-call consultant as determined by the City Engineer.

### **Traffic Division**

37. Comprehensive traffic control measures shall be implemented during construction, including scheduling of major truck trips and deliveries, to avoid peak travel hours. If necessary, as determined by the Traffic Engineer, proper lane closure procedures such as flagger stations, signage, cones, and other warning devices shall be implemented during construction.
38. The sidewalk on the south side of Dublin Canyon Road along the project frontage shall be a minimum of six-foot wide, decomposed granite meandering pathway. This sidewalk shall continue easterly to the Dublin Canyon Road/Laurel Creek

Drive intersection. The detailed design of this sidewalk is subject to review and approval by the Director of Community Development. Americans with Disabilities Act (ADA) compliant ramps shall be installed at the intersection and be connected to the existing sidewalk at the east side of Laurel Creek Drive.

39. A minimum of six-foot wide bike lane shall be installed on both sides of Dublin Canyon Road along the project frontage. The eastbound right turn lane at the project shall be used for both vehicular right turns and bikes (i.e., there shall be no bike specific striping through the turn pocket). The applicant shall submit plans showing this revision subject to review and approval by the Traffic Engineer as part of the subdivision improvement plan.

### **Landscaping**

40. Prior to building permit finals for the new homes, landscaping along Dublin Canyon Road and on both sides of the private street shall be installed and inspected by Planning Division. All rear and side yard landscaping designs shall be submitted for review and approval by the Planning Division prior to installation. Plant species shall be of drought-tolerant nature and suitable for reclaimed water, and the irrigation design shall utilize low-volume drip, bubbler, or other water conserving irrigation systems to the maximum extent possible. Landscaping installation in the rear and side yards shall be installed within nine (9) months of occupancy.
41. The project developer shall comply with the recommendations of the tree report prepared by HortScience, Inc., dated "Received October 12, 2015," on file with the Planning Division. The applicant/project developer shall arrange for the horticultural consultant to conduct a field inspection prior to issuance of City permits to ensure that all recommendations have been properly implemented. The consultant shall certify in writing that such recommendations have been followed
42. A final landscape and irrigation plan shall be submitted to and approved by Director of Community Development as part of the building permit plan set prior to issuance of a building permit. Said landscape plan shall include the planting of additional trees on the project site to mitigate the loss of existing trees. The planting shall be detailed in terms of species, location, size, quantities, and spacing. Plant species shall be of drought-tolerant nature and suitable for reclaimed water, and the irrigation design shall utilize low-volume drip, bubbler, or other water conserving irrigation systems to the maximum extent possible.
43. All trees used in landscaping be a minimum of fifteen (15) gallons in size and all shrubs a minimum of five (5) gallons, unless otherwise shown on the approved landscape plan. The four proposed Columbia London plane located along Dublin Canyon Road and one southern live oak located in the northern corner of Lot 3 shall be 24-inch box size trees.

44. The project developer shall provide root control barriers and four inch (4") perforated pipes for street trees and trees in planting areas less than ten feet (10' 0") in width, as determined necessary by the Director of Community Development at the time of review of the final landscape plans. No other trees shall be removed other than these specifically designated for removal.
45. The project developer shall post cash, letter of credit, or other security satisfactory to the Director of Community Development in the amount of \$5,000 for each tree required to be preserved, up to a maximum of \$25,000. This cash bond or security shall be retained for one year following acceptance of public improvements or completion of construction, whichever is later, and shall be forfeited if the trees are destroyed or substantially damaged. No trees shall be removed other than those specifically designated for removal on the approved plans or tree report.
46. No tree trimming or pruning other than that specified in the tree report shall occur. The project developer shall arrange for the horticultural consultant to conduct a field inspection prior to issuance of grading permits to ensure that all recommendations have been properly implemented. The consultant shall certify in writing that such recommendations have been followed.
47. Prior to issuance of a grading or building permit, the project developer shall install a temporary six foot tall chain-link fence (or other fence type acceptable to the Director of Community Development) outside of the existing tree drip lines, as shown on the plans. The fencing shall remain in place until final landscape inspection by the Community Development Department. Removal of such fencing prior to that time may result in a "stop work order."

#### **Livermore-Pleasanton Fire Department**

48. All buildings covered by this approval shall be equipped with an automatic fire sprinkler system. Plans and specifications for the automatic fire sprinkler system shall be submitted for review and approval by the Livermore-Pleasanton Fire Department prior to installation. The fire alarm system, including water flow and valve tamper, shall have shop drawings submitted for review and approval by the Livermore-Pleasanton Fire Department prior to installation. All required inspections and witnessing of tests shall be completed prior to final inspection and occupancy of the building(s).
49. The location of the fire hydrant and the detail of the turn-around area for fire trucks shall be reviewed and approved by the Livermore-Pleasanton Fire Department prior to issuance of a building permit.
50. A twenty-six-foot wide unobstructed road width shall be maintained for 20 feet on both sides of a fire hydrant.

## STANDARD CONDITIONS

### Community Development Department

51. The project applicant shall submit a refundable cash bond for hazard and erosion control. The amount of this bond will be determined by the Director of Community Development. The cash bond will be retained by the City until all the permanent landscaping is installed for the development, including individual lots, unless otherwise approved by the department.
52. The project applicant shall pay any and all fees to which the property may be subject prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.
53. If any prehistoric or historic artifacts, or other indication of cultural resources are found once the project construction is underway, all work must stop within 20 meters (66 feet) of the find. A qualified archaeologist shall be consulted for an immediate evaluation of the find prior to resuming groundbreaking construction activities within 20 meters of the find. If the find is determined to be an important archaeological resource, the resource shall be either avoided, if feasible, or recovered consistent with the requirements of the State CEQA Guidelines. In the event of discovery or recognition of any human remains in any on-site location, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the County coroner has determined, in accordance with any law concerning investigation of the circumstances, the manner and cause of death and has made recommendations concerning treatment and dispositions of the human remains to the person responsible for the excavation, or to his/her authorized representative. A similar note shall appear on the improvement plans.
54. All existing wells on the site shall be removed or sealed, filled and abandoned pursuant to Alameda County Ordinance 73-68, prior to the start of grading operations. Wells shall be destroyed in accordance with the procedures outlined on the permit obtained from Zone 7. Zone 7 may request the developer/subdivider to retain specific wells for monitoring the ground water. The developer/subdivider shall notify the City of Zone 7's desire to retain any well and make provisions to save the well. Additionally, the developer/subdivider may request special approval for temporary use of an existing well for construction water or a more permanent use such as non potable outdoor landscaping. The developer/subdivider shall make such request in writing to the City Engineer.
55. The permit plan check package will be accepted for submittal only after the ordinance approving the PUD development plan becomes effective, unless the project developer submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the ordinance is overturned or that the design has significantly changed. In no case will a permit be issued prior to the effective date of the ordinance.

56. The project developer shall submit a dust control plan or procedure as part of the improvement plans.

### **Planning Division**

57. Development shall be substantially as shown on, Exhibit B, the development plans, dated "Received January 26, 2016," single-family GreenPoint Checklist, noise assessment report, arborist report, health assessment report, and geotechnical investigation report, dated "October 12, 2015," on file with the Planning Division, except as modified by these conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development if found to be in substantial conformance with the approved exhibits.
58. To the extent permitted by law, the project applicant shall defend (with counsel reasonably acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the project applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.
59. The applicant shall work with the Pleasanton Unified School District (PUSD) to develop a program to offset this project's long term effect on school facility needs in Pleasanton in addition to the school impact fees required by State law. This program shall be designed to fund school facilities necessary to offset this project's reasonably related effect on the long-term need for expanded school facilities. The method and manner for the provision of these funds and/or facilities shall be approved by the PUSD and in place prior to building permit issuance. Written proof of compliance with this condition shall be provided by Applicant to the City, on a form generated by the PUSD, prior to building permit issuance.
60. Prior to building permit submittal, a list of the green building measures used in the design of the unit covered by this approval shall be provided to the Planning Division for the review and approval by the Director of Community Development. The proposed homes covered by this approval shall be designed to achieve a "certified rating" of a minimum of 50 total points, achieving at least the minimum points in each category, using BuildItGreen's current GreenPoints rating system.

The green building measures shall be shown on one of the first two pages of the plans submitted for issuance of a building permit. **Each point identified shall have a notation indicating the sheet the point can be found, and each sheet shall note where the point is located.** All proposed green building measures



shall be shown throughout the plan set, as appropriate, as determined by the Director of Community Development.

A special inspection by the Planning Division shall be coordinated with regards to landscaping, irrigation, and exterior materials. All of the green building measures indicated on the approved checklist shall be inspected and approved by either the City of Pleasanton, a third party rater, or the project applicant shall provide written verification by the project engineer, architect, landscape architect, or designer.

61. Only gas fireplaces, pellet fueled wood heaters or EPA certified wood-burning appliances may be installed inside or outside the homes.
62. All HVAC condensing units shall be shown on the plans and shall be subject to the review and approval of the Director of Community Development prior to building permit issuance.
63. All conditions of approval shall be attached to all building permit plan check sets submitted for review and approval, whether stapled to the plans or located on a separate plan sheet. These conditions of approval shall be attached at all times to any grading and construction plans kept on the project site. It is the responsibility of the applicant/developer to ensure that the project contractor is aware of, and abides by, all conditions of approval. It is the responsibility of the applicant/developer to ensure that the project landscape contractor is aware of, and adheres to, the approved landscape and irrigation plans, and all conditions of approval.
64. Prior approval from the Planning Division is required before any changes occur to site design, grading, building design, building colors or materials, green building measures, landscape material, etc. Planning Division approval is required before any changes are implemented in site design, grading, house design, house colors or materials, green building measures, landscape material, etc.
65. Prior to building occupancy, the landscape architect or landscape designer shall certify in writing to the Director of Community Development that the landscaping has been installed in accordance with the approved landscape and irrigation plans with respect to size, number, and species of plants and overall design concept.
66. The developer and/or property management are encouraged to use best management practices for the use of pesticides and herbicides.
67. The project applicant must provide to the Director of Community Development a building height certification performed by a licensed land surveyor or civil engineer. Said certification must allow for the installation of finished roof materials and must meet the approved building height.

68. The approved building colors and materials shall be indicated on the final building permit plans. Any proposed revisions to these approved colors or materials must be submitted for review and approval by the Director of Community Development prior to building permit issuance and/or painting/installation.
69. Campers, trailers, motor homes, or any other similar vehicle are not allowed on the construction site except when needed as sleeping quarters for a security guard.
70. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.
71. Portable toilets used during construction shall be kept as far as possible from existing residences and shall be emptied on a regular basis as necessary to prevent odor.
72. The developer and future homeowners are encouraged to use reclaimed gray water, rain water, etc., for landscape irrigation. If used, the details shall be shown on the permit plan set to the satisfaction of the Director of Community Development before issuance of a building permit.

### **Landscaping**

73. The project developer shall enter into an agreement with the City, approved by the City Attorney, which guarantees that all landscaping and open space areas included in this project will be maintained at all times in a manner consistent with the approved landscape plan for this development. Said agreement shall run with the land for the duration of the existence of the structures located on the subject property.
74. Six-inch vertical concrete curbs shall be installed between all vehicular paved and landscaped areas.
75. The project developer shall provide root control barriers and four inch perforated pipes for parking lot trees, street trees, and trees in planting areas less than ten feet in width, as determined necessary by the Director of Community Development at the time of review of the final landscape plans.
76. The following statements shall be printed on the site, grading, and landscape plans where applicable to the satisfaction of the Director of Community Development prior to issuance of a building permit:
  - a. No existing tree may be trimmed or pruned without prior approval by the Director of Community Development.

- b. No equipment may be stored within or beneath the driplines of the existing trees to be saved.
- c. No oil, gasoline, chemicals, or other harmful materials shall be deposited or disposed within the dripline of the trees or in drainage channels, swales, or areas that may lead to the dripline.
- d. No stockpiling/storage of fill, etc., shall take place underneath or within five feet of the dripline of the existing trees.

### **Building and Safety Division**

- 77. All retaining walls higher than four feet from the top of the wall to the bottom of the footway shall be constructed of reinforced concrete, masonry, or other material as approved by the Director of Community Development, or shall be an approved crib wall type. Calculations signed by a registered civil engineer shall accompany the wall plans.
- 78. At the time of building permit plan submittal, the project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures to prevent stormwater runoff onto adjoining properties.
- 79. Prior to issuance of building permits, the applicant/developer shall submit a waste management plan to the Building and Safety Division. The plan shall include the estimated composition and quantities of waste to be generated and how the project developer intends to recycle at least 75 percent of the total job site construction waste measured by weight or volume. Proof of compliance shall be provided to the Chief Building Official prior to the issuance of a final building permit. During construction, the project developer shall mark all trash disposal bins "trash materials only" and all recycling bins "recycling materials only." The project developer shall contact Pleasanton Garbage Service for the disposal of all waste from the site.

### **Engineering Department**

- 80. A "Conditions of Approval" checklist shall be completed and attached to all plan checks submitted for approval indicating that all conditions have been satisfied.
- 81. The project developer shall comply with the recommendations of the project's geotechnical consultant. The project developer's geotechnical consultant shall review and approve all foundation, retaining wall, and drainage geotechnical aspects of the final development plans to ensure that the recommendations have been properly incorporated into the development. The consultant shall certify by writing on the plans or as otherwise acceptable to the City Engineer that the final development plan is in conformance with the geotechnical report approved with the project.

82. The project developer shall arrange and pay for the geotechnical consultant to inspect and approve all foundation, retaining, and wall and drainage geotechnical aspects of project construction. The consultant shall be present on site during grading and excavation operations. The results of the inspections and the as-built conditions of the project shall be certified in writing by the geotechnical consultant for conformance to the approved plans and geotechnical report and submitted to the City Engineer for review and approval prior to occupancy.
83. The project developer shall construct vertical Plain Cement Concrete (P.C.C.) curbs and gutters within this development unless otherwise approved by the City Engineer. When the sidewalk is adjacent to the curb and gutter, they shall be poured monolithically.
84. All existing septic tanks or holding tanks shall be properly abandoned, pursuant to the requirements of the Alameda County Department of Health Services prior to the start of grading operations, unless specifically approved by the City Engineer.
85. The haul route for all materials to and from this development shall be approved by the City Engineer prior to the issuance of a permit, and shall address the need to schedule major truck trips and deliveries during off peak travel times, to avoid peak travel congestion. It shall also include the provision to monitor the street surfaces used for the haul route so that any damage and debris attributable to the haul trucks is identified and corrected at the expense of the project applicant or developer.
86. All dry utilities (electric power distribution, gas distribution, communication service, Cable television, street lights and any required alarm systems) required to serve existing or new development shall be installed in conduit, underground in a joint utility trench unless otherwise specifically approved by the City Engineer.
87. Any damage to existing street improvements during construction on the subject property shall be repaired to the satisfaction of the City Engineer at full expense to the project developer and includes but is not limited to slurry seal, overlay, restoration of landscaping and irrigation system, signing, striping, pavement marking or street reconstruction if deemed warranted by the City Engineer.
88. There shall be no direct roof leaders connected to the street gutter or storm drain system, unless otherwise approved by the City Engineer.
89. The project developer and/or the project developer's contractor(s) shall obtain an encroachment permit from the City Engineer prior to moving any construction equipment onto the site.

90. The project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and drainage control measures, including concrete-lined V-ditches, to protect all cut and fill slopes from surface water overflow. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of a subdivision grading permit.
91. The project developer shall include erosion control measures on the final grading plan, subject to the approval of the City Engineer. The project developer is responsible for ensuring that the contractor is aware of such measures. All cut and fill slopes shall be revegetated and stabilized as soon as possible after completion of grading, in no case later than October 15. No grading shall occur between October 15 and April 15 unless approved erosion control measures are in place, subject to the approval of the City Engineer. Such measures shall be maintained until such time as a permanent landscaping is in place.
92. Storm drainage swales, gutters, inlets, outfalls, and channels not within the area of a dedicated public street or public service easement approved by the City Engineer shall be privately maintained by the property owners or through an association approved by the City.
93. The project developer shall be responsible for the installation of the street lighting system serving the development. The street lights shall be LED units mounted on galvanized steel poles with poured in place bases, on the LS-1C schedule per City requirements and PG&E standard details, unless otherwise specifically approved. The lighting system design shall conform to the Illuminating Engineering Society (IES). Approval for the number, location, and type of electroliers shall be subject to the review and approval of the City Engineer.
94. The project developer shall submit detailed landscape and irrigation plans as part of the improvement plans. The irrigation plan shall provide for automatic controls.
95. All retaining walls along the street shall be placed behind the Public Service Easement (PSE), unless otherwise approved by the City Engineer.
96. A detailed grading and drainage plan prepared by a licensed Civil Engineer including all supporting information and design criteria (including but not limited to any peer review comments), storm drain treatment calculations, hydromodification worksheets, etc., shall be submitted as part of the improvement plans.
97. The minimum grade for the gutter flowline shall be set at one percent where practical, but not less than 0.75% unless otherwise approved by the City Engineer.

98. A water meter shall be provided to each lot of record within the development unless otherwise approved by the City Engineer.
99. A sanitary sewer lateral with two-way cleanout (located at the back of the sidewalk or curb, whichever is applicable) shall be provided to each lot of record within the development unless otherwise approved by the City Engineer.
100. The park dedication fees shall be paid to the City prior to approval of the map, at the rate then in effect, for the total number of buildable lots on the map, unless this requirement has been otherwise satisfied.
101. For residential subdivisions or properties in residential zones, any existing assessment to which the property may be subject shall be cleared prior to the approval of the parcel map.
102. The improvement plans for this development shall contain signage and striping plans that are subject to the approval of the City Traffic Engineer.
103. The curb and gutter along the street shall have a subdrain installed at either the back of the curb or lip of gutter at the discretion of the City Engineer. This detail shall be shown on the improvement plans. Said drains shall be connected to the storm drain system or drained by other means acceptable to the City Engineer.
104. The property owner/developer shall deposit a bond with the City to ensure completion of any required improvements. This bond shall be in a standard form approved by the City Attorney and shall be in an amount satisfactory to the City Engineer. The City Engineer may waive this requirement if the required improvements have been satisfactorily installed prior to approval of the map.
105. All overhead utilities serving the existing home and the proposed houses shall be installed underground in conduit to the nearest riser pole acceptable to the Utility Companies and City Engineer. All utility boxes and transformers for this project shall be installed underground. All capacitor banks or switches for the project may be installed above ground if properly screened to the satisfaction of the Director of Community Development.

#### **Livermore-Pleasanton Fire Department**

106. The project applicant shall keep the site free of fire hazards from the start of lumber construction until the final inspection.
107. Prior to any construction framing, the project applicant shall provide adequate fire protection facilities, including, but not limited to a water supply and water flow in conformance to the City's Fire Department Standards able to suppress a major fire.

108. Electrical conduit shall be provided to each fire protection system control valve including all valve(s) at the water connections. The Livermore-Pleasanton Fire Department requires electronic supervision of all valves for automatic sprinkler systems and fire protection systems.
109. The Fire Chief and the Director of Building Inspection shall approve the number, type, and location of all private fire hydrants.
110. All curbs located with a seven-foot, six-inch radius of a public/private fire hydrant shall be painted red, unless, modified by the Fire Chief. Blue street "hydrant markers" shall be installed for all fire hydrants per City of Pleasanton Standard Specifications.
111. All private streets and driveway aisles designated as fire lanes by the Fire Chief shall be maintained in accordance with Articles 9 and 10 of the Uniform Fire Code which permits towing vehicles illegally parked on the fire lanes. Fire lane curbs shall be painted red with "No Parking, Fire Lane, Tow Away Zone" or "No Parking, Fire Lane, Tow Away Zone" signs shall be installed as required by the Vehicle Code.
112. All fire sprinkler system water flow and control valves shall be complete and serviceable prior to final inspection. Prior to the occupancy of a building having a fire alarm system, the Fire Department shall test and witness the operation of the fire alarm system.
113. The following items will be provided prior to any construction above the foundation or slab. NOTE: Periodic inspections will be made for compliance.
  - a. Emergency vehicle access shall be provided to the site, including the area where construction is occurring. If Public Works improvements are part of the project to access the site, an emergency vehicle access plan shall be submitted for review and approval.
  - b. Emergency vehicle access shall be a minimum of 20 feet in clear width. A clear height free of obstructions (power, cable, telephone lines, tree limbs, etc.) is required. This clearance shall be a minimum of 13-feet, 6-inches.
  - c. All exterior portions of buildings must be within 200 feet of an access road. Yard and parking areas may be able to be located farther than 200 feet from access roads, depending on the specific use.
  - d. The carrying capacity of the access route(s) shall be 69,000 pounds under all weather conditions.
  - e. Designated construction material storage and construction worker parking shall not obstruct the emergency vehicle access route(s).

- f. On-site fire hydrants shall be in service. Fire hydrants shall be flushed and all valves open.
- g. On-site fire hydrants shall not be obstructed and shall be sufficiently above grade to have all hydrant valves and outlets accessible for emergency use.
- h. Where a project is phased as part of the development approved by the City, specific access, water supply and fire hydrant installations will be required as part of each phase. As needed a phasing plan with these improvements will be required.
- i. Where on-site grading/utility plans are submitted for review and approval prior to building construction drawings, emergency vehicle access routes, fire hydrant locations, material staging areas, etc. shall be provided.

114. The following schedule for NO PARKING signs shall apply:

<u>Width</u>	<u>Requirements</u>
36 Feet or Greater	No Requirements
Between 28 and 36 Feet	Post one side
Between 20 and 28 feet	Post both sides
Less than 20 feet	Not permitted

### **CODE CONDITIONS**

*(Applicants/Developers are responsible for complying with all applicable Federal, State and City codes and regulations regardless of whether or not the requirements are part of this list. The following items are provided for the purpose of highlighting key requirements.)*

#### **Building and Safety Division**

- 115. The project developer shall submit a building survey and/or record of survey and a site development plan in accordance with the provisions of Chapter 18.68 of the Municipal Code of the City of Pleasanton. These plans shall be approved by the Chief Building and Safety Official prior to the issuance of a building permit. The site development plan shall include all required information to design and construct site, grading, paving, drainage, and utilities.
- 116. The project developer shall post address numerals on the buildings so as to be plainly visible from all adjoining streets or driveways during both daylight and night time hours.
- 117. The buildings covered by this approval shall be designed and constructed to meet Title 24 state energy requirements.



118. All building and/or structural plans must comply with all codes and ordinances in effect before the Building and Safety Division will issue permits.

### **Livermore-Pleasanton Fire Department**

119. All construction covered by this approval shall conform to the requirements of the California Building Code currently in effect, the California Fire Code currently in effect, and the City of Pleasanton Ordinance 2015. All required permits shall be obtained.
120. Automatic fire sprinklers shall be installed in all occupancies in accordance with City of Pleasanton Ordinance 2015. Installations shall conform to NFPA Pamphlet 13 for commercial occupancies, NFPA 13D for residential occupancies, and NFPA 13R for multifamily residential occupancies.
121. Underground fire mains, fire hydrants and control valves shall be installed in conformance with the most recently adopted edition of NFPA Pamphlet 24, "Outside Protection."
- The underground pipeline contractor shall submit a minimum of three (3) sets of installation drawings to the Fire Department Fire Prevention Bureau. The plans shall have the contractor's wet stamp indicating the California contractor license type and license number and must be signed. No underground pipeline inspections will be conducted prior to issuance of approved plans.
  - All underground fire protection work shall require a California contractor's license type as follows: C-16, C-34, C-36 or A.
  - All field-testing and inspection of piping joints shall be conducted prior to covering of any pipeline.
122. Dead-end fire service water mains shall not exceed 500 feet in length and/or have more than five Fire Department appliances\* shall be looped around the site or building and have a minimum of two points of water supply or street connection. Zone valves shall be installed as recommended under NFPA, Pamphlet 24 and the Fire Marshal.
- \*Note: Fire Department appliances are classified as fire sprinkler system risers, fire hydrants, and/or standpipes.
123. All buildings undergoing construction, alteration or demolition shall comply with Chapter 14 (California Fire Code currently in effect) pertaining to the use of any hazardous materials, flame-producing devices, asphalt/tar kettles, etc.

## URBAN STORMWATER CONDITIONS

124. The project shall comply with the NPDES Permit No. CAS612008, dated October 14, 2009, and amendments, issued the by California Regional Water Quality Control Board, San Francisco Bay Region, a copy of which is available at the Community Development Department, Public Works/Engineering section at City offices, Alameda County Clean Water Program, State Water Board, and at the following websites:

[http://www.waterboards.ca.gov/sanfranciscobay/water\\_issues/programs/stormwater/Municipal/index.shtml](http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/stormwater/Municipal/index.shtml);  
and

[http://www.waterboards.ca.gov/sanfranciscobay/board\\_info/agendas/2007/march/alameda%20final%20order%20r2-2007-0025.pdf](http://www.waterboards.ca.gov/sanfranciscobay/board_info/agendas/2007/march/alameda%20final%20order%20r2-2007-0025.pdf)

The project shall comply with the "Construction General Permit" as required by the San Francisco Bay Regional Water Quality Control Board:

([http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/construction.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml))

### **A. Design Requirements**

1. The NPDES Permit design requirements include, but are not limited to, the following:
  - a) Source control, sight design measures, and design and implementation of stormwater treatment measures are required when commercial, industrial or residential development creates and replaces 10,000 square feet or more of impervious surface, including roof area, streets and sidewalk.
  - b) Hydro-modification standards are required when a new development or redevelopment project creates and replaces total impervious area of one acre or more.
  - c) The NPDES Permit requires a proactive Diazinon pollutant reduction plan (aka Pesticide Plan) to reduce or substitute pesticide use with less toxic alternatives.
  - d) The NPDES Permit requires complying with the Copper Pollutant Reduction Plan and the Mercury Pollutant Reduction Plan.

2. The following requirements shall be incorporated into the project:

- a) The project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures including bio-swales. Irrigated bio-swales shall be redesigned as needed to the satisfaction of the City Engineer to optimize the amount of the stormwater running off the paved surface that enters the bio-swale at its most upstream end. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of any building permits.
- b) In addition to natural controls the project developer may be required to install a structural control, such as an oil/water separator, sand filter, or approved equal (on-site) to intercept and pre-treat stormwater prior to reaching the storm drain. The design, locations, and a schedule for maintaining the separator shall be submitted to the City Engineer/Chief Building Official for review and approval prior to issuance of building permits. The structural control shall be cleaned at least twice a year: once immediately prior to October 15 and once in January.
- c) The project developer shall submit sizing design criteria to treat stormwater runoff and for hydromodification, if required, at the time of PUD plan submittal and an updated detailed copy of calculations with subsequent submittals.
- d) Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where appropriate and acceptable to the project soils engineer, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution.
  - I. Structures shall be designed to prohibit the occurrence and entry of pests into buildings, thus minimizing the need for pesticides.
  - II. Where feasible, landscaping shall be designed and operated to treat stormwater runoff. In areas that provide detention of water, plants that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified. Soil shall be amended as required. (See planting guide line by Alameda County Clean Water Program.)
  - III. Plant materials selected shall be appropriate to site specific characteristics such as soil type, topography, climate, amount and timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment.

IV. Landscaping shall also comply with City of Pleasanton ordinances and policies regarding water conservation.

- e) Roof drains shall discharge and drain away from the building foundation. Ten percent of the stormwater flow shall drain to landscaped area or to an unpaved area wherever practicable.

## **B. Construction Requirements**

The Construction General Permit's construction requirements include, but are not limited to, the following:

Construction activities (including other land-disturbing activities) that disturb one acre or more (including smaller sites that are part of a larger common plan of development) are regulated under the NPDES stormwater program. Operators of regulated construction sites are required to develop and implement a Stormwater Pollution Prevention Plan and to obtain a Construction General Permit (NOI) from the State Water Resources Control Board to discharge stormwater:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/docs/finalconstrpermit.pdf](http://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/finalconstrpermit.pdf)

### **Stormwater**

1. The project developer shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review by the City Engineer/Chief Building Official prior to issuance of building or engineering permits. A reviewed copy of the SWPPP shall be available at the project site until engineering and building permits have been signed off by the inspection departments and all work is complete. A site specific SWPPP must be combined with proper and timely installation of the BMPs, thorough and frequent inspections, maintenance, and documentation. Failure to comply with the reviewed construction SWPPP may result in the issuance of correction notices, citations or stop work orders.
2. The amendments to the SWPPP and all the inspection forms shall be completed and available at the site for inspection by the city, county or state staff.
3. The project developer is responsible for implementing the following Best Management Practices (BMPs). These, as well as any other applicable measure, shall be included in the SWPPP and implemented as approved by the City.
  - a) The project developer shall include erosion control/stormwater quality measures on the final grading plan which shall specifically address measures to prevent soil, dirt, and debris from entering the storm drain

system. Such measures may include, but are not limited to, hydroseeding, hay bales, sandbags, and siltation fences and are subject to the review and approval of the City Engineer/Chief Building Official. If no grading plan is required, necessary erosion control/stormwater quality measures shall be shown on the site plan submitted for an on-site permit, subject to the review and approval of the Building and Safety Division. The project developer is responsible for ensuring that the contractor is aware of and implements such measures.

- b) All cut and fill slopes shall be revegetated and stabilized after completion of grading, but in no case later than October 15. Hydroseeding shall be accomplished before September 15 and irrigated with a temporary irrigation system to ensure that the grasses are established before October 15. No grading shall occur between October 15 and April 15 unless approved erosion control/stormwater quality measures are in place, subject to the approval of City Engineer/Chief Building Official. Such measures shall be maintained until such time as permanent landscaping is in place.
- c) Gather all sorted construction debris on a regular basis, place it in the appropriate container for recycling, and empty at least on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater runoff pollution.
- d) Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement and storm drains adjoining the site. Limit construction access routes onto the site and place gravel on them. Do not drive vehicles and equipment off paved or graveled areas during wet weather. Broom sweep the street pavement adjoining the project site on a daily basis. Scrape caked-on mud and dirt from these areas before sweeping.
- e) Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site in order to retain any debris or dirt flowing in the storm drain system. Maintain and/or replace filter materials to ensure effectiveness and to prevent street flooding.
- f) Create a contained and covered area on the site for the storage of cement, paints, oils, fertilizers, pesticides, or other materials used on the site that have the potential of being discharged into the storm drain system through being windblown or in the event of a material spill.
- g) Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.

- h) Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into street, gutters, or storm drains.
- i) Equipment fueling area: Use off-site fueling stations as much as possible. Where on-site fueling occurs, use designated areas away from the storm drainage facility, use secondary containment and spill rags when fueling, discourage "topping off" of fuel tanks, place a stockpile of absorbent material where it will be readily accessible, and check vehicles and equipment regularly for leaking oils and fuels. Dispose rags and absorbent materials promptly and properly.
- j) Concrete wash area: Locate wash out areas away from the storm drains and open ditches, construct a temporary pit large enough to store the liquid and solid waste, clean pit by allowing concrete to set, breaking up the concrete, then recycling or disposing of properly.
- k) Equipment and vehicle maintenance area: Use off-site repair shop as much as possible. For on-site maintenance, use designated areas away from the storm drainage facility. Always use secondary containment and keep stockpile of cleanup materials nearby. Regularly inspect vehicles and equipment for leaks and repair quickly or remove from the project site. Train employees on spill cleanup procedures.

### **C. Operation Requirements**

The Permit's operation and maintenance requirements include but are not limited to the following: The operation and maintenance of treatment measures including but not limited to bio-swales, lawns, landscaped areas with deep-rooted plants, oil/water separator, filterra units, etc., requires completing, signing and recording an agreement with Alameda County recorder's office in a format approved by the State and Alameda County.

1. All projects, unless otherwise determined by the City Engineer or Chief Building Official, shall enter into a recorded Stormwater Treatment Measures Inspection and Maintenance Agreement for ongoing maintenance and reporting of required stormwater measures. These measures may include, but are not limited to:
  - a) A mechanism shall be created, such as a property owners' association, to be responsible for maintaining all private streets, private utilities and other privately owned common areas and facilities on the site including stormwater treatment measures. These maintenance responsibilities shall include implementing the maintenance plan, which is attached to the Stormwater Treatment Measures Inspection and Maintenance

Agreement. This document shall be reviewed by the City Attorney's Office and recorded with the final map.

- b) On-site storm drain inlets clearly marked and maintained with the words "No Dumping – Drains to Bay."
- c) Proper maintenance of landscaping, with minimal pesticide and fertilizer use.
- d) Ensure wastewater from vehicle and equipment washing operations is not discharged to the storm drain system.
- e) Ensure that no person shall dispose of, nor permit the disposal, directly or indirectly, of vehicle fluids, hazardous materials or rinse water from cleaning tools, equipment or parts into storm drains.
- f) Clean all on-site storm drains at least twice a year with one cleaning immediately prior to the rainy season. The City may require additional cleanings.
- g) Regularly but not less than once a month, sweep driveways, sidewalks and paved areas to minimize the accumulation of litter and debris. Corners and hard to reach areas shall be swept manually. Debris from pressure washing shall be trapped and collected to prevent entry into the storm drain system. Wastewater containing any soap, cleaning agent or degreaser shall not be discharged into the storm drain.
- h) Vegetated swales with grasses shall be mowed and clippings removed on a regular basis.

*{end}*